

The Code Relief Ordinance

(Amnesty Ordinance)

Section 8-11 of the Code of
Miami-Dade County Ordinance 02-44



MIAMI-DADE
BUILDING DEPARTMENT
www.miamidade.gov/bldg/

What is the Code Relief (Amnesty Ordinance)?

The Code Relief (Amnesty Ordinance), Ordinance 02-44, is an amendment to Chapter 8 of the Code of Miami-Dade County which established a procedure to bring structures built without proper permits or built with permits that are lacking mandatory inspections into compliance with the building code.

What type of construction projects qualify for reissuance or permit issuance under the Code Relief (Amnesty Ordinance)?

Construction projects where the original permit issuance date or the work performed without a permit had to have commenced prior to March 1, 2002.

How long is the Code Relief (Amnesty Ordinance) in effect?

The Code Relief (Amnesty Ordinance) does not expire.

What are the fees for the reissuance of an existing permit under the Code Relief (Amnesty Ordinance)?

The Building Department's fee for the reissuance of an existing permit can be found in the department's Fee Schedule. In addition to those fees, applicable Impact Fees will be assessed. Additionally, other agencies including, but not limited to, the Department of Environmental Resources Management (DERM), Miami-Dade Fire Rescue and Florida Department of Health may assess fees. Please check with the applicable agencies. The Building Department accepts the following forms of payment: check, MasterCard, Visa, debit card, money order or cashier check.

What is the procedure for reissuance of an existing permit under the Code Relief (Amnesty Ordinance)?

In order to reissue your permit so that you can call for required inspections, you will need to come to one of the Building Department's offices during the designated processing hours with your job set of plans. Listed in this brochure are the Building Department's office locations and processing hours. You will be required to complete a new application, obtain approvals from the sections within the Building Department that originally reviewed the permit, such as the Construction Plans Processing Section, in addition to any approvals required by other departments such as, but not limited to, the Department of Planning and Zoning. The reissue application and plans will be processed as per the applicable building code requirements at the time of permit issuance. However, the following life-safety requirements of the current building code must be complied with at all times:

- Means of egress or escape
- Requirement of shutters
- Hard-wired smoke detectors shall be installed as required.
- Ground fault interrupter (GFI)
- Full size pressure and temperature relief valved lines shall be installed on all water heaters
- Handicapped access requirements
- All gas piping systems shall be bonded to ground
- Handrails shall be inspected and replaced, if necessary, in full compliance with code requirements
- Zoning requirements
- Requirements of federal or state laws or other preemptive laws, codes or standards

Additionally, you will need to obtain an As-Built Certificate from a State of Florida duly licensed engineer or architect, attesting that to the best of his or her knowledge, belief and professional judgment and based on his or her inspection of the structure, the structure:

- is structurally sound; and
- satisfies the requirements of the code in effect at the time the work was commenced, indicating the date the work commenced and the requirements of the code in effect on that date; and
- complies with all requirements of the current code identified above;
- complies with the permit application and plans approved by the Building Department.

Additionally, the As-Built Certificate shall contain a narrative description of the methodology utilized to make the determination set forth in the As-Built Certificate. If the work was performed at any time during which this code accepted certification by masters in their respective trades as a condition of issuance of a Certificate of Completion, then a master shall be authorized to issue the As-Built Certificate in accordance with work involving his or her trade which otherwise complies with all requirements of this subsection.

How do I obtain a permit for work performed without proper permits under the Code Relief (Amnesty Ordinance)?

In order to obtain a permit for work performed without proper permits, you will need to come to the Building Department during the designated processing hours with two (2) copies of an as-built set of plans. At a minimum, the plans should include the following: Site plan, floor plan, sufficient detail, where applicable, of structural, electrical, mechanical, plumbing and roofing components. Additionally, you will need to submit evidence of when the construction was performed so that the appropriate code requirements can be enforced. This documentation could include aerial photographs, tax records and/or surveys. You will be required to complete a permit application and to obtain approvals from the Construction Plans Processing Section within the Building Department in addition to obtaining any

approvals required by other departments such as, but not limited to, the Department of Planning and Zoning. The plans will be processed as per the code requirements at the time of construction. However, the following life-safety requirements of the current code, must be complied with at all times:

- Means of egress or escape
- Requirement of shutters
- Hard-wired smoke detectors shall be installed as required
- Ground fault interrupter (GFI)
- Full size pressure and temperature relief valved lines shall be installed on all water heaters
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Additionally, you will need to obtain an As-Built Certificate from a State of Florida duly licensed engineer or architect, attesting that to the best of his or her knowledge, belief and professional judgment and based on his or her inspection of the structure, the structure:

- is structurally sound; and
- satisfies the requirements of the code in effect at the time the work was commenced, indicating the date the work commenced and the requirements of the code in effect on that date; and
- complies with all requirements of the current code identified above;
- complies with the permit application and plans approved by the Building Department.

Additionally, the As-Built Certificate shall contain a narrative description of the methodology utilized to make the determination set forth in the As-Built Certificate. If the work was performed at any time during which this Code accepted certification by masters in their respective trades as a condition of issuance of a Certificate of Completion, then a master shall be

authorized to issue the As-Built Certificate in accordance with work involving his or her trade which otherwise complies with all requirements of this subsection.

What is the fee for obtaining a permit under the Code Relief (Amnesty Ordinance)?

The Building Department's fee for issuance of the permit can be found in the department's Fee Schedule. In addition to those fees, applicable Impact Fees will be assessed. Additionally, other agencies including, but not limited to, Department of Environmental Resources Management, Miami-Dade Fire Rescue and Florida Department of Health may assess fees. Please check with the applicable agencies. The Building Department accepts the following forms of payment: check, MasterCard, Visa, debit card, money order and cashier check.

After I have obtained the permit or had the permit reissued, how do I obtain approval of inspections for which construction has been completed?

Once the permit is issued, inspections must be requested for all applicable trades. The inspectors will conduct an inspection to determine the following:

- Plans submitted reflect the current state of the structure; and
- the construction complies with the code in effect at the time and complies with current code requirements listed on section 11(g)(2)(c) of Chapter 8 of the code of Miami-Dade County;
- that the As-Built Certificate represents accurately the condition of the structure.

How can I find out if my property has had permits issued that have not been finalized?

In order to find out if there are any permits that have not been finalized for your property, you can call the Building Department or visit our website. Please be prepared to provide the property address.

I am not the original owner of my home. However, I am aware that work has been performed without permits or with permits that are lacking the required mandatory inspections. Who is responsible for bringing the property into compliance?

The current owner of the property is ultimately responsible for bringing the property into compliance. If permits were issued to a licensed contractor but mandatory inspections were not obtained, you should contact the contractor and request that he or she reissue the permit under the provisions of the Amnesty Ordinance.

Does the Code Relief (Amnesty Ordinance) apply to work on any commercial properties?

Yes. It does apply to commercial properties.

Where is the Building Department, what are the hours of operation, and what number do I call if I have additional questions?

The Building Department location and hours of operation are:

Miami-Dade County Permitting and Inspection Center
Permit Records Section
11805 SW 26 St. (Coral Way)
Miami, Florida 33175-2474
(786) 315-2100
7:30 a.m. - 4:00 p.m.
Monday – Friday